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KELLY L. STEPHENS, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA

UNITED STATES OF AMERICA,
Plaintiff,

Criminal Case No.: 1:20-cr-66

V.

RAYMOND WILLIAMS,
Defendant.

MOTION TO CLARIFY AND RECOMMEND APPLICATION OF FIRST STEP ACT TIME CREDITS

COMES NOW, the defendant, Raymond Williams, register number 26858-509, Pro se, and respectfully moves this Honorable Court to enter an order recommending or clarifying the Defendant's eligibility for Time Credits under the First Step Act of 2018, specifically for the period spent in pretrial detention under federal custody, and in support thereof states:

I. BACKGROUND

1. Mr. Williams was arrested on federal charges and entered into the custody of the United States Marshals Service on or about 2/19/2021, where he remained in continuous federal custody through sentencing on 12/11/2023.

2. During this time, he was detained at Butler County, which housed federal pretrial detainees under contract with the United States Marshals Service and/or the Bureau of Prisons.

While in federal pretrial custody, Mr. Williams actively participated in rehabilitative and educational programming, demonstrating his commitment to rehabilitation and reducing his risk of recidivism. (Supporting documentation will be provided or can be made available upon request.

II. LEGAL BASIS

4. Pursuant to 18 U.S.C. §3632(d)(4) and 18 U.S.C. §3642(g), eligible federal inmates may earn First Step Act Time Credits (FTC's) toward early release or prerelease custody by successfully participating in Evidence Based Recidivism Reduction (EBRR) programs or

Productive Activities.

5. Although the Bureau of Prisons typically begins calculating FTCs after an inmate's conviction and formal designation, Mr. Williams was already in federal custody and should not be penalized for delays in designation beyond his control.

6. The purpose of the First Step Act is to encourage rehabilitation and reduce recidivism and Mr. Williams should receive appropriate credit for his participation while in qualifying federal pretrial custody, especially when those programs mirror approved BOP offerings.

7. The Court has authority to issue a non-binding recommendation to the Bureau of Prisons which the BOP may consider in reviewing and applying FTCs. (See *Setser v. United States*, 566 U.S. 231 (2012)).

III. PRAYER FOR RELIEF

WHEREFORE, the defendant respectfully request that this Court: (1) Clarify or recommend that the Bureau of Prisons evaluate and award First Step Act Time Credits to Mr. Raymond Williams, Reg No. 26858-509 for his program participation during his time in federal pre-trial custody from 2/19/21 to 2/14/24; (2) Acknowledge that Mr. Williams was under continuous federal authority during the aforementioned period and participated in qualifying activities deserving of credit; (3) Grant such other and further relief as this Court deems just and proper.

Respectfully Submitted,



Raymond Williams

Register No. 26858-509

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